

ORDINANCE 98-48

**TO AMEND THE BLOOMINGTON ZONING MAPS
TO EXPAND THE BLOOMINGTON ZONING JURISDICTION
DUE TO ANNEXATION AND TO ASSIGN A ZONING DESIGNATION
Re: 1700, 1701, 1751, 1801, 1900, 1901, 1903, 1921, 1923, & 2001 South Liberty Drive
(City of Bloomington, Petitioner)**

- WHEREAS, on February 20, 1986, the Common Council adopted Ordinance 86-09, which designated the property commonly known as Park 37, as a Planned Commercial Development (PCD) and approved an Outline Plan for the development of the site pursuant to Plan Commission case MG/PCD-108-85; and
- WHEREAS, on May 1, 1995 the Common Council adopted Ordinance 95-21, which repealed and replaced Title 20 of the Bloomington Municipal Code entitled "Zoning," including the incorporated zoning maps, and Title 21, entitled "Land Use and Development;" and
- WHEREAS, subsequently the County asserted zoning authority over this parcel and, pursuant to an interlocal agreement with the City, adopted the previously approved PCD designation and Outline Plan; and
- WHEREAS, the City has since taken action to annex portions of this PUD, and desires to include the annexed portions within it's planning and zoning authority and to acknowledge the previously approved PCD and Outline Plan (now referred to as PUD and Preliminary Plan); and
- WHEREAS, the Plan Commission has considered this case, ZO-68-98, and recommended that the petitioners, the City of Bloomington, be granted a rezone of the property located at 1700, 1701, 1751, 1801, 1900, 1901, 1903, 1921, 1923, & 2001 South Liberty Drive from County PUD to PUD and also reaffirm the preliminary plan approval; and

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Through the authority granted to the City by statute, including IC 36-7-4, and pursuant to provisions of the Bloomington Municipal Code, including Chapters 20.03 and 20.05, the City's zoning jurisdiction shall be expanded to include this recently annexed property and further, that this property shall be designated as a Planned Unit Development and governed by the Preliminary Plan as approved by Ordinance 86-09. The property is located at 1700, 1701, 1751, 1801, 1900, 1901, 1903, 1921, 1923, & 2001 South Liberty Drive and is further described as follows:

A part of the Northeast Quarter of Section 12 and a part of the Southeast Quarter of Section 1, Township 8 North, Range 2 West, Monroe County, Indiana, and being more particularly described as follows:

Beginning at the Northeast corner of said Northeast Quarter; thence South 89 degrees 28 minutes 07 seconds West 80.27 feet on the north line of said quarter section to a northeast corner of Lot 3 in Park 37 and to the POINT OF BEGINNING; thence on the west right-of-way of State Road 37 the following two (2) COURSES: 1) South 0 degrees 06 minutes 44 seconds West 49.95 feet; thence 2) South 47 degrees 12 minutes 10 seconds East 43.27 feet to the west line of Annexation Ordinance Number 95-53; thence on said west line the following six (6) courses: 1) South 10 degrees 04 minutes 26 seconds West 390.03 feet; thence 2) South 39 degrees 26 minutes 33 second West 683.90 feet; thence 3) South 27 degrees 26 minutes 46 seconds West 195.85 feet; thence 4) South 8 degrees 31 minutes 28 seconds East 317.93 feet; thence 5) North 86 degrees 53 minutes 41 seconds West 376.94 feet; thence 6) North 89 degrees 49 minutes 43 seconds West 70.00 feet to the west right-of-way of Liberty Drive; thence on said west right-of-way the following two (2) courses: 1) North 0 degrees 10 minutes 19 seconds West 261.27 feet;

thence 2) 211.04 feet on a 1785.00 feet radius tangent curve to the right whose chord bears North 3 degrees 12 minutes 54 seconds East 210.92 feet to the southeast corner of Lot 2 in Park 37; thence South 89 degrees 28 minutes 58 seconds West 745.08 feet on the south line of said Lot 2 to the southwest corner thereof; thence North 0 degrees 29 minutes 53 seconds East 1037.10 feet on the west line of said Lot 2 and also Lot 5 to the north right-of-way of Constitution Avenue; thence on said north right-of-way the following three (3) courses: 1) 175.49 feet on a 865.97 feet radius non-tangent curve to the right whose chord bears South 84 degrees 43 minutes 31 seconds East 175.19 feet; thence 2) South 78 degrees 55 minutes 12 seconds East 128.10 feet; thence 3) 163.34 feet on a 805.97 feet radius tangent curve to the left whose chord bears South 84 degrees 43 minutes 33 seconds East 163.06 feet to the aforementioned north line of the northeast quarter of Section 12; thence North 89 degrees 28 minutes 08 seconds East 1223.96 feet on said north line to the POINT OF BEGINNING; said described tract containing 40.043 acres, more or less.

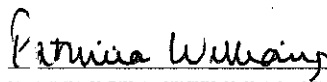
SECTION II. The Preliminary Plan shall be attached hereto and made a part thereof.

SECTION III. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor and upon annexation of the property.

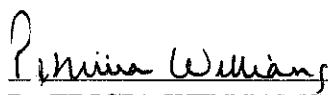
PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 18th day of November, 1998.


TIMOTHY MAYER, President
Bloomington Common Council

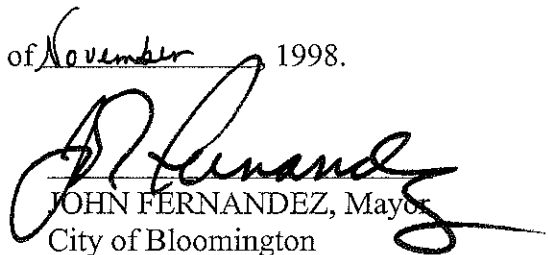
ATTEST:


PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this ____ day of November, 1998.


PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 19 day of November, 1998.


JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance extends the City's zoning jurisdiction to include the approximately forty (40) acres of recently annexed Park 37 property located on South Liberty Drive and re-establishes the PUD designation and Preliminary Plan previously approved by the Common Council.

Signed copy to:
Planning
County Planning